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Continued November 28, 1990

- a) to consider the appeal of J. J. S. Warehouse to the Notice of Fire Hazard and Order to Abate Issued by the Lodi Fire Department on September 28, 1990.
- b) 7:30 p.m. public hearing to obtain citizens' comments on transit needs within the City of Lodi.

SPECIFICATIONS FOR ONE
THREE-REEL TURRET TRAILER
FOR THE ELECTRIC UTILITY
DEPARTMENT APPROVED

CC-12.1(b) The City Council approved the specifications for the purchase of one three-reel Turret Trailer and authorized the advertisement for bids.

This wire and cable trailer will replace an existing trailer in the Electric Utility Department. Funding for this purchase was included in the Department's 1990-91 fiscal year budget. The estimated cost is \$35,000.

The bid opening date has been set for December 18, 1990.

SPECIFICATIONS FOR BIDS
FOR WELL DRILLING, WELL #24,
640 NORTH STOCKTON STREET
(NORTH OF GRAPE BOWL STADIUM)

CC-12.1(c) The City Council approved the plans and specifications and authorized advertisement for bids for Well Drilling, Well 24, 640 North Stockton Street (North of Grape Bowl Stadium).

This well site is located on Stockton Street in an unused portion of City property between the Grape Bowl and the parking lot north of it. Analysis of test well water samples has shown no detectable levels of DBCP. The project consists of drilling a municipal water well to a depth of 473 feet. The development of the site and purchase of pumping equipment will be handled by separate contracts at a later date.

PLANS AND SPECIFICATIONS FOR
TRAFFIC SIGNAL AND LIGHTING
INSTALLATION AT LODI AVENUE/LOWER
SACRAMENTO ROAD

CC-12.1(c) The City Council approved plans and specifications and authorized advertisement for bids for Traffic Signal and Lighting Installation at Lodi Avenue/Lower Sacramento Road.

This project includes the installation of a traffic actuated signal at Lodi Avenue and Lower Sacramento Road

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using Federal (FAU) funds. The signal will include left turn phases on each approach as well as intersection lighting and pedestrian signals.

In accordance with Federal rules, the contract estimate is not public. The total appropriation for the project is \$90,000.

Since the longer bid time required by Federal rules would place the bid opening in the Christmas holidays, the bid opening has been set for after the first of the year. Award cannot be made until Caltrans reviews the bids and approves the award.

PURCHASE OF OILS AND LUBRICANTS

RESOLUTION NO. 90-174

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-174 authorizing the purchase of the annual requirement of various oils and lubricants from two bidders, Mel Bokidas Petroleum of Stockton and Roberts Petroleum Service of Lodi.

On September 4, 1990, the City requested informal bids for annual requirements of oil and lubricants, anticipating that the total dollar amount bid for annual quantities would be under \$5,000.

Bids were received from five bidders and opened on September 12, 1990. Results of the bids are shown below.

ITEM NO./DESCRIPTION (EST. ANNUAL REQMT)	B.C. STOCKING VACAVILLE (a)	ROBERTS PET. LODI	BOKIDES PET. STOCKTON BID #1	BOKIDES PET. STOCKTON BID #2	J. THORPE OIL. LODI
1. MOTOR OIL, 15W/40 SF-CE/CD-2 SG (1,200 GAL/YEAR)	\$2.48/GAL CHEVRON RPM DELO 15/40(b)	\$2.79/GAL CHEVRON DELO 15/40(b)	\$2.92/GAL TEXACO IIRSA 15/40	\$2.62/GAL CITGO 500 15/40(c)	\$3.59/GAL API SG.918M 15/40
2. RANDO #32 OIL (220 GAL/YEAR)	2.24/GAL CHEVRON AW 32	2.37/GAL CHEVRON AW 32	2.76/GAL RANDO #32	1.99/GAL CITGO AW#32	2.99/GAL HYDOR/TURBINE #32
3. AUTO. TRANS. OIL DEXTRON II (165 GAL/YEAR)	2.78/GAL CHEVRON ATF DEXTRON II	2.75/GAL MOBIL MULTI-PURPOSE	3.54/GAL TEXACO ATF DEXTRON II	2.49/GAL CITGO ATF DEXTRON II	3.49/GAL UNITRAN DEXTRON II
4. AUTO. TRANS OIL TYPE F (100 GAL/YEAR)	2.68/GAL CHEVRON ATF SPECIAL	2.75/GAL MOBIL MULTI-PURPOSE	3.54/GAL TEXACO ATF TYPE F	2.49/GAL CITGO ATF TYPE F	3.49/GAL UNITRAN MERCEN (d)
5. HYDRAULIC FLUID TYPE E (55 GAL/YEAR)	7.34/GAL CHEVRON AV- HYD. TYPE E	7.14/GAL CHEVRON TYPE E	7.78/GAL TEXACO TYPE E	NO PRODUCT	NO PRODUCT
6. HYDRAULIC OIL RDF-150 #46 (220 GAL/YEAR)	2.24/GAL CHEVRON HYDR. AW #46	2.12/GAL CHEVRON AW #46	2.76/GAL TEXACO #46	1.97/GAL NOT SPECIFIED (e)	2.99/GAL HYDRAULIC- TURBINE #46
7. GEAR LUBE SAE 80W-90 EP (110 GAL/YEAR)	.478/LB CHEVRON UNIV. GL 80-90	.496/LB CHEVRON UNIV. GL 80-90	.550/LB TEXACO 80W-90	NO PRODUCT	.660/LB NOT SPECIFIED
8. ALL-PURPOSE WHEEL/CHASSIS GREASE (240 LB/YR)	.759/LB CHEVRON MULTI-MOTIVE	.760/LB CHEVRON POLYUREA #2	.820/LB TEXACO ALL- PURPOSE #1917	NO PRODUCT	1.010/LB MULY E.P.-2 GREASE
9. SOLVENT, STODDARD QUICK-DRY (165 GAL/YEAR)	1.97/GAL CLEANING SOLVENT J50	1.65/GAL CHEVRON 140F (f)	1.78/GAL ASHLAND STODDARD	NO PRODUCT	2.29/GAL STODDARD SOLVENT
ESTIMATED TOTAL ANNUAL COST OF ITEMS AWARDED:		\$1,096.06	\$3,797.70	\$1,097.65	

FOOTNOTES: (a) B.C. STOCKING BID SUBMITTED WITH THE CONDITION THAT AWARD BE "ALL OR NONE"
(b) CHEVRON RPM DELO NOT RECOMMENDED BY CHEVRON FOR INDUSTRIAL USE
(c) CITGO BRAND MOTOR OIL NOT CONSIDERED EQUIVALENTS OF CHEVRON OR TEXACO FOR CITY USE
(d) ESTIMATED SAVINGS OF \$6.00 PER YEAR DOES NOT JUSTIFY PROCESSING OF A SEPARATE ORDER
(e) INSUFFICIENT PRODUCT INFORMATION TO EVALUATE BID
(f) CHEVRON 140F SOLVENT NOT CONSIDERED BY CHEVRON TO BE A QUICK-DRY SOLVENT

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The low bidder for motor oil, gear lube, and all-purpose grease, B.C. Stocking of Vacaville, requested an all-or-nothing award but failed to meet the specifications for the 15-40W Motor Oil.

The second low bidder for motor oil, Mel Bokidas Petroleum, Bid #2, also failed to meet specifications for motor oil, but did submit low bids for the #32 Oil and Automatic Transmission Fluid.

Roberts Petroleum Service met specifications for Hydraulic Fluid Type E, Hydraulic Oil ROF-ISO #46, 80-90W Gear Lube, and Wheel and Chassis Grease, but failed to meet specifications for the 15-40W Motor Oil, the Automatic Transmission Fluid, and the Stoddard Solvent.

Mel Bokidas Petroleum, Bid #1, met the specifications for the 15-40W Motor Oil and the Stoddard Solvent.

It was recommended that the City Council award bid items 1, 2, 3, 4, and 9 to Mel Bokidas Petroleum, and award bid items 5, 6, 7, and 8 to Roberts Petroleum.

Because of the volatile Mid-East situation, neither supplier is able or willing to lock in a fixed price, but both agree to pass on only verifiable manufacturers' increases.

The bids and this proposal have been reviewed by the City Attorney and the Purchasing Officer.

REPORT REGARDING SALE OF CITY PROPERTY

CC-6
CC-12(d)
CC-47

The City Council was advised that the following items of City property have been sold within the last thirty days:

11/8/90 1 Well Pump, Motor, & Tank \$125.00

On March 21, 1990, the City Council approved the sale and removal of a house and garage on City property located at 12001 N. Thornton Road. Responsibility for removal of the well remained with the City.

Last month, an offer to buy the pump, motor and tank was received from Bechthold & Kirshenman, the company currently leasing the agricultural land at White Slough. The offer included cash compensation of \$125 and removal of the building in which the equipment was housed. On November 8, 1990, the offer was accepted.

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SALE OF SURPLUS VEHICLES
AND EQUIPMENT

CC-6 The City Council approved the sale of surplus vehicles and
 CC-12(d) equipment and authorized advertising for bids.
 CC-47

The vehicles and equipment listed below have been removed from service and are of no use to the City. It is proposed that we sell these items at the minimum bids proposed.

<u>Quantity</u>	<u>Item</u>	<u>Proposed Minimum Bid</u>
2	318 Dodge Engines	250.00 each
3	Dodge Diplomat Differentials	75.00 each
2	1965 Ford F-100 Pickups	1,000.00 each
1	1984 Ford Escort	1,000.00
1	1982 Mercury Lynx	600.00
1	1981 Mercury Futura	800.00
1	1980 Chevrolet Citation	700.00
1	1982 GMC S15	1,600.00
1	1982 Chevrolet Impala	600.00
1	1979 Ford Granada	300.00
1	1984 Ford LTD	400.00
1	1980 Oldsmobile Cutlass	1,200.00
1	1980 Buick Regal	500.00
1	1981 Chevrolet Citation	700.00
1	1981 Chevrolet Impala	800.00
1	1978 Ford F100	1,200.00
1	1979 Mercury Zephyr	300.00
1	1982 Dodge Diplomat	400.00
1	1978 Chevrolet Nova	600.00
1	1981 Chevrolet Monte Carlo	1,100.00
1	1979 Chevrolet Monte Carlo	1,000.00
1	1979 Chevrolet Caprice	400.00
1	1979 Chevrolet Caprice	500.00
1	1986 Chevrolet Camaro	1,000.00
1	1979 Chevrolet Malibu Wagon	900.00
2	1985 Chevrolet Caprice Wagons	1,000.00 ea.

<u>Quantity</u>	<u>Item</u>	<u>Proposed Minimum Bid</u>
1	Pneumatic Coats 20/20 Tire Changer	300.00
1	8' Utility Trailer	200.00
1	9' Utility Hand-Operated Dump Trailer	300.00
3	14' Aluminum Rowboats	200.00 each
1	18' Fiberglass Flat-Bottom Jet Boat, Hull Only	400.00

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CONTRACT APPROVAL - FUEL
SUPPLIES FOR THE PERIOD
DECEMBER 1, 1990 THROUGH
MAY 31, 1991

RESOLUTION NO. 90-175

CC-12(d)
CC-47

The City Council adopted Resolution No. 90-175 approving the agreement providing to the City of Lodi supplies of regular and unleaded gasoline, and diesel fuel, covering the period of December 1, 1990 through May 31, 1991, for award to Roberts Petroleum Service of Lodi, California.

On September 21, 1990, the City Council authorized the Purchasing Officer to negotiate a fuel supplies agreement with a local distributor of major brands of fuel. In view of the current crisis in the Persian Gulf and uncertainty over availability of fuel this winter, it would be prudent for the City to be involved in a fuel supplies agreement over the near term.

Since Roberts Petroleum has access to the greatest number of major refiners (Chevron, Arco, and BP North America), and offers the greatest assurance for continuity of supply during a fuel shortage situation, Roberts was selected for negotiation of an agreement.

Revised estimates of fuel requirements during the six-month period are:

Regular Unleaded:	77,400 gallons
Regular Leaded:	12,400 gallons
Diesel:	21,500 gallons

Projected costs are difficult to determine as the price of oil varies, but at current prices the total cost to the City during the period is estimated to be about \$125,000.

While fuel supplies agreements do not guarantee delivery of 100% of fuel requirements during periods of shortage, users with contracts are generally given preference over those without. Additionally, in times of limited supply, major refiners generally have greater access to supplies than do independents, hence the decision to align with a major supplies contractor such as Roberts Petroleum.

ACCEPTANCE OF IMPROVEMENTS
UNDER WELL 23 CHAIN LINK FENCE,
55 EAST HARNEY LANE, CONTRACT

CC-90

The City Council accepted the improvements under the "Well 23 Chain Link Fence, 55 East Harney Lane" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office. The City

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Council was advised that the contract was awarded to Stockton Fence of Stockton on March 7, 1990, in the amount of \$6,838.94. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was May 16, 1990, and the actual completion date was August 1, 1990. The final contract price was \$6,590.94. The difference between the contract amount and the final contract price is mainly due to a deduction for poor workmanship on the project.

The delay in accepting the improvements was due to problems in reaching an agreement for damages caused by the poor workmanship.

ACCEPTANCE OF IMPROVEMENTS
UNDER LODI AVENUE AND
HAM LANE INTERSECTION
IMPROVEMENTS CONTRACT

CC-90

The City Council accepted the improvements under the "Lodi Avenue and Ham Lane Intersection Improvements" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Copenhagen Utilities and Construction, Inc. of Sacramento on June 20, 1990 in the amount of \$85,901.00.

The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was November 16, 1990, and the actual completion date was November 13, 1990. The final contract price was \$98,358.54. The difference between the contract amount and the final contract price is mainly due to a change order which replaced the traffic signal loops on Ham Lane.

DEFERRED IMPROVEMENT AGREEMENT
FOR STREET IMPROVEMENTS AT
1 WEST LOWE STREET, LODI

CC-6
CC-46

The City Council approved the Deferred Improvement Agreement for the installation of curb, gutter, sidewalk, street paving, and miscellaneous items related to street construction for the north half of Lowe Street along the undeveloped portion of the parcel frontage.

On September 17, 1990, the owner of the property located at 1 West Lowe Street, Lodi, California, filed an application for a building permit for the construction of a 3-bedroom,

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single-family dwelling on the subject property. The property is located on the north side of Lowe Street, at the easterly terminus of the Lowe Street right-of-way. The property frontage along Lowe Street totals 40 feet with existing street improvements (curb, gutter, sidewalk, street pavement) extending only along the west 20 feet. The remaining length of Lowe Street is unimproved. The property immediately east of the right-of-way is currently owned by Southern Pacific Railroad. The City of Lodi Municipal Code (15.44.030 and 15.44.050) requires the installation of street improvements along all portions of the developer's property which fronts upon a public street. However, since the street improvements currently available are sufficient to provide adequate access to the property and there are no plans to extend Lowe Street in the foreseeable future, the Public Works Department offered to defer the street improvements provided the owner would enter into a Deferred Improvement Agreement with the City (Municipal Code 15.44.040).

The owner, Aquarius Construction Company, Inc., has signed the agreement in which they agreed to pay for the cost of design and installation of street improvements at such time as requested by the Public Works Director, the City Council, or a substantial number of property owners. The agreement contains provisions for providing interim improvements for temporary termination of Lowe Street at the end of the existing pavement. The Public Works Department is currently evaluating alternatives for interim improvements which may include curbing and a dead-end barricade at the end of the existing pavement. The executed agreement will be recorded and run with the land, and shall be binding on the successors, heirs, or assigns of the current owner.

CONTRACT RENEWAL WITH
INSURANCE CONSULTING ASSOCIATES,
INC. TO PROVIDE LIABILITY CLAIMS
ADMINISTRATION AND GENERAL
RISK MANAGEMENT CONSULTING
SERVICES TO THE CITY OF
LODI APPROVED

CC-21.1(a) The City Council approved a three-year contract with Insurance Consulting Associates, Inc. to provide liability claims administration and general risk management consulting service to the City of Lodi and authorized the City Manager and City Clerk to execute the contract on behalf of the City of Lodi.

The City Council was advised that for the past year, the City of Lodi has contracted with Insurance Consulting Associates, Inc. (ICA) to provide liability claims administration and general risk management. ICA was

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retained when we experienced a very serious decline in the performance of the City's previous liability contract administrator. ICA was able to accomplish the transition under difficult circumstances with minimum disruption and have performed in a very expeditious and professional manner during the past 12 months.

The following are conclusions contained in a recent audit performed for the California Joint Powers Risk Management Authority of which Lodi is a member:

The City of Lodi liability claim program is being very effectively managed and administered by Insurance Consulting Associates, Inc.

There had been an apparent lapse in effective claim administration by the previous administrator due to a significant change in management and the City made a decision to change claim administrators approximately nine months ago. This has been a very positive change and the City benefits from a very professional and experienced claim technical staff at ICA.

The changes contained in the proposed contract renewal are as follows:

1. Three-year contract (subject to same termination conditions) instead of one.
2. \$2.00 per hour increase (roughly 4%) on our claims management service fee.
3. \$50.00 per month increase in computer service fee.
4. \$15.00 per hour reduction for risk management and loss control services.

RECLASSIFICATION OF POLICE
OFFICER POSITION IN THE
DETECTIVE BUREAU TO SERGEANT

RESOLUTION NO. 90-176

CC-34

The City Council adopted Resolution No. 90-176 approving the reclassification of a Police Officer position in the Detective Bureau to Sergeant effective January 7, 1991.

The City Council received a copy of the following October 29, 1990 memorandum that was authored by Police Chief Williams. Assistant City Manager Glenn advised the City Council that it was our position too that additional supervision was needed; however, the Division Commander felt that if he could not have an additional position he

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did not want to take investigative time and devote that time to supervision. We did not want to force an organization on the Division Commander that he was not comfortable with at that time.

As you will recall Fire Chief Hughes requested an additional sergeant in this year's budget, to be assigned to Investigations. At that time the offer was made to upgrade one office to sergeant but not to add a new position. When checked with Capt. Martin, who was at that time the division commander, he felt he would be better off without the position. As you are aware Captain Adams is presently in chare of that division and has also expressed the need for another supervisor in that division. When Mr. Hughes informed him of the offer made during budget hearings he stated he would have taken the offer.

Fire Chief Hughes feels there is a very definite need for another supervisor in the investigations division. At the present time the Sergeant assigned to that division has been assigned to supervise the four narcotics officers, leaving no supervisor for the remainder of the division, which means I have a Captain directly supervising ten people.

The Fire Chief requests consideration be given to upgrading a patrolmans position to the rank of Sergeant, effective the first pay period in 1991. This position would be assigned in the investigations division.

Thank you for your consideration in this matter.

One Captain cannot provide adequate supervision to 10 people, all who work somewhat independently. Additional supervision is needed.

Mr. Glenn indicated that he and the City Manager concur with the Chief's request and recommend that a Police Officer position be upgraded to Sergeant effective January 6, 1991.

AGENDA ITEM REMOVED
FROM AGENDA

Agenda item E-16 - "Intention to vacate the public utility easement at 405 North Pacific Avenue" was removed from the agenda.

* * * * *

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

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INFORMATION REQUESTED
REGARDING FALL AND WINTER
WATERING OF YARDS AND
LANDSCAPED AREAS

CC-183(d) Council Member Pinkerton following receipt of a telephone complaint requested that an information program be initiated for the citizens of this community on fall and winter watering of yards and landscaped areas.

Further Council Member Olson stated that she had observed a citizen in the community hosing his lawn to remove the leaves. Council Member Olson stated that the citizens of this community should be advised that this is not allowed.

SAN JOAQUIN COUNTY
COUNCIL OF GOVERNMENTS UPDATE

Council Member Olson reported on the last San Joaquin County Council of Governments meeting she attended and gave an update on COG activities and the time schedule for the implementation of Measure K.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

CITY COUNCIL RECEIVES
PROCLAMATION FROM THE
BOY SCOUTS FOR "SCOUTING
FOR FOOD" CAMPAIGN

Patricia Menough, "Scouting for Food" Campaign Director presented Mayor Snider with a proclamation thanking the citizens of the City of Lodi for their great support during the recent campaign. Over 17,500 pounds of food was donated during the campaign which was donated to four area food banks.

PUBLIC HEARINGS There were no public hearings scheduled for this meeting.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of November 12, 1990:

CC-35 The Planning Commission -

OF INTEREST TO THE CITY COUNCIL

1. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers, on behalf of Terry Knutson (i.e. Cottage Bakery) for a Lot Line Adjustment to create one lot from three lots at 203 and 213

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South School Street in an area zoned C-2, General Commercial.

2. Continued the review of the Policy Document and Draft Environmental Impact Report for the City of Lodi Draft General Plan.
3. Set a public hearing for 7:30 p.m., Monday, November 26, 1990 to consider the request of Benjamin Pineda for a Use Permit for a 15-bed board and care home for ambulatory adults at 458 Almond Drive in an area zoned R-MD, Medium Density Multiple Family Residential.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and the City's Contract Administrator, on motion of Council Member Olson, Hinchman second, the City Council rejected the following claims and referred them back to the City's Contract Administrator:

- a) Marie Bowlin, Date of loss 9/16/90
- b) Valerie Killian (a minor), Date of loss 7/09/90
- c) Linda R. O'Brion, Date of loss 9/03/90
- d) David W. Wright, Date of loss 10/23/90

APPEAL OF PLANNING
COMMISSION DENIAL
REGARDING TWO EXISTING
CANVAS ROOF COVERS AT
25 SOUTH HUTCHINS STREET
SET FOR PUBLIC HEARING

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council set for public hearing on December 19, 1990 the appeal received from Mr. Lance Robinson of the Planning Commission's denial of his request for Zoning Variances to permit two existing canvas roof covers to encroach into the required frontyard (20 feet) and street sideyard (10 feet) at 25 South Hutchins Street.

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PETITION RECEIVED REQUESTING
FOUR-WAY STOP SIGNS ON THE
CORNER OF WASHINGTON
STREET AND ACACIA STREET

CC-16 The City Council referred to staff the petition received
CC-48(h) from Kenny Krenz requesting four-way stop signs at the
 corner of Washington Street and Acacia Street.

RESIGNATION RECEIVED FROM
MEMBER OF THE LODI ARTS
COMMISSION

CC-2(k) City Clerk Reimche presented a letter of resignation that
 had been received from Lodi Arts Commissioner Rick
 Dentino. On motion of Mayor Pro Tempore Hinchman, Reid
 second, the City Clerk was directed to post for the vacancy.

REGULAR CALENDAR

GRAFFITI ORDINANCE
INTRODUCED

ORDINANCE NO. 1502

CC-6 The City Council was advised that at the shirtsleeve
CC-13 session of November 13, 1990, the City Council considered
CC-149 two versions of an ordinance dealing with graffiti. The
 first was based on voluntary cooperation by the owner or
 responsible person, and did not compel graffiti abatement.
 The second version allowed the City to compel graffiti
 removal and if necessary, to lien the property for costs of
 abatement. From input by Council members and staff, it
 appears that the preferred option at present is the
 non-mandatory version.

The ordinances were evaluated and discussed by the Mayor's
informal committee, comprised of concerned citizen Arthur
Price, Council member Evelyn Olson, Public Works Director
Jack Ronsko, and the City Attorney. The consensus was that
the ordinance providing for mandatory removal of graffiti
was probably not cost-effective at present, because in many
cases, it might actually cost more to process the necessary
paperwork than the actual cost of abating the graffiti.
The paperwork would have been necessary, however, if a lien
was going to be used to cover abatement costs. For those
reasons, the voluntary ordinance appears preferable.

The City Attorney presented a proposed ordinance which
would allow Public Works to abate graffiti at no cost to
the property owner, but does not provide for painting any
area larger than that necessary just to cover up the
graffiti. It also makes no guarantees as to a color
match.

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In addition to the abatement provisions of this ordinance, it would make illegal the placing of any unauthorized graffiti on a public or privately-owned building or structure, and would also prohibit the sale or furnishing to persons under 18 years of age any pressurized paint can or felt tip pen with a tip more than 1/2 inch wide. Possession of such spray paint or marking pen by any person would also be prohibited in publicly-owned parks, playgrounds or recreational facilities in the City, subject to certain specified exemptions.

The ordinance would place the burden on businesses which sell such paint and marking pens to get proof of age from some potential buyers. However, State law already requires that sellers of such items get proof of age before selling airplane glue or paint which contains certain substances such as toluene. There are also a number of cities in California that have adopted similar restrictions on sale of paint to minors, and no evidence of this creating major problems for businesses has been noted.

It has also been proposed that in conjunction with the possible adoption of a graffiti ordinance, that the City undertake an information campaign making people aware of the graffiti cleanup program. Businesses and property owners would be urged to set aside some touchup paint when buildings are repainted. Then, should it be necessary for City crews to assist in abating graffiti, the owner's paint could be used assuring a color match.

If the Council desires to put this ordinance in place, a consent/hold harmless form would be prepared by the City Attorney's office. This form would be required before the City would do any graffiti abatement work.

Some community organizations have already expressed an interest in helping with this program.

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council introduced Ordinance No. 1502 entitled, "An Ordinance of the Lodi City Council Adding Chapter 9.28 to the Lodi Municipal Code Relating to Graffiti Abatement." At the direction of the City Council, any reference to marking pen was deleted from the ordinance which was introduced.

DIBROMOCHLOROPROPANE (DBCP) UPDATE

CC-183(a)

The following report was given by Fran Forkas, Water/Wastewater Superintendent.

The City Council received an excerpt from the 1989 Annual Water Quality Report mailed in August of 1990 which was a

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required DBCP notification to the City's water customers. At the time of this notification, the cost estimate to bring the City wells into compliance was 5.6 Million dollars. The maximum loan amount of 5.0 million dollars.

In September 1990, the City received tentative approval for the 5.0 million dollar low interest loan (3.4%). The loan documents are now being processed by the Finance and Public Works Departments. To obtain the loan, the City Council will be required to adopt a resolution accepting the loan and designating a representative to execute the loan documents. We are proposing to bring this resolution to the Council for approval at its next regular meeting of December 19, 1990.

Changes in DBCP Levels

Since the original loan application was submitted, the following changes in compliance status have occurred.

1. Well #8 sampling for DBCP was started late due to the well being out of service for awhile. Initial results lead us to believe Well #8 would be out of compliance and it was included in the loan request. After the six monthly samples were averaged, we found the well in compliance with the maximum contaminant level (MCL).

2. Well #1R, #14, and #21 were resampled for a second six-month period and were found to be back in compliance.

Note - The above four wells (8, 1R, 14, and 21) must now be sampled quarterly for DBCP and could, in the future, again go over the MCL and thereby become out of compliance. This could happen if heavy rains were to push more DBCP from the soil into the groundwater.

3. Well #23 was originally in compliance, but it appears now that it will certainly go out of compliance after its six-month sampling period is completed in March 1991.
4. The above changes in compliance status change the estimated funds required for initial construction as follows:

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Initial Estimate Used for Loan Application	\$5,623,800.00
Well #1R	(500,500.00)
Well #8	(345,800.00)
Well #14	(835,900.00)
Well #21	(653,900.00)
Well #23	<u>495,300.00</u>
Current Estimate	\$3,783,000.00

The original submitted loan application requested funds to improve 11 wells. Due to the changing compliance status of some wells, we met with California Department of Health Services (DHS) officials and clarified that there is flexibility in the loan. Lodi, with DHS approval, can substitute any wells which are out of compliance with those wells listed in the original loan application.

Filtration Improvements

Consulting engineers were retained and are preparing the plans and specifications for filtration improvements at Well #16 located in Beckman Park at Century Boulevard and the Woodbridge Irrigation District canal. This work will be completed in January 1991. The City will then advertise for bids. The contract award will be made in February or March 1991. The same plans and specifications from Well #16, with some minor modifications, would then be utilized on the remaining wells that are out of compliance.

New Wells

Test Well #11R, located on Turner Road east of Casa de Lodi, Test Well #24, located in the northwestern corner of the Grape Bowl off of North Stockton Street, and Test Well #25, located just south of the City's new industrial substation east of the freeway, have been drilled. All these proposed sites are on existing City property.

Test results show NO DBCP in 11R and 24, however, Test Well #25 showed a DBCP level in one strata of 1.8 parts per billion.

On November 7, 1990, Council awarded a contract to drill Well #11-R. This well will be brought on-line during the summer of 1991.

The City Council will be approving the plans and specifications for drilling Well #24 at its meeting of November 28, 1990. This well will also be brought on-line during the summer of 1991.

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Staff is still evaluating whether or not we will be developing Well #25.

Future Dates and Items to be Completed

1. December 11, 1990 - Next public DBCP notification required by DHS. This will be done by using utility billing message referring to notification to be published in newspaper. This method will reduce our quarterly notification costs from \$4,300 to \$420.
2. December 19, 1990 - Council will be asked to adopt a resolution accepting the loan.
3. Conduct Fee Study - After the first of the year, City will conduct a water rate study to determine rate increase necessary to pay back loan for DBCP improvements.
4. April 1992 - By this date, City must bring all of its non-compliance wells into compliance.

DELIVERY OF UNCLAIMED TOYS
AND BICYCLES FOR "THE MAYOR'S
ANNUAL HOLIDAY CHILD
SHARE PROGRAM"

URGENCY ORDINANCE
NO. 1503 ADOPTED

CC-6
CC-73
CC-149

Last year, the Lodi Service Center, working in conjunction with the Lodi Salvation Army Service Extension Committee requested and received all unclaimed bicycles and toys held by the Lodi Police Department, in lieu of selling them at auction. This program is known as "The Mayor's Annual Holiday Child Share Program". The items were distributed to underprivileged children.

A similar request has been made again this year. If the Council deems it appropriate, Welfare and Institutions Code §217 can be utilized to authorize delivery of the toys and bicycles to these organizations for distribution.

Should the Council choose to do so, the ordinance authorizing the delivery should probably be made on an urgency basis in order to allow the delivery of the toys in time for Christmas.

On motion of Council Member Reid, Olson second, the City Council by unanimous vote adopted Ordinance No. 1503 entitled, "An Urgency Ordinance of the Lodi City Council

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Authorizing Delivery of Unclaimed Bicycles and Toys for the Mayor's Annual Holiday Child Share Program".

RECESS

Mayor Snider declared a five-minute recess and the City Council reconvened at approximately 9:15 p.m.

TRAFFIC SIGNAL APPROPRIATIONS

The City Council was advised that the Traffic Signal Priority Study identifies and prioritizes 19 intersections that meet Caltrans criteria for installation of traffic signals. Additional information regarding another intersection, Kettleman Lane at Crescent Street, will be provided at the meeting. Also, rules recently adopted by the State of California require that remaining Federal funds allocated to the City of Lodi be obligated by April 1991. (Obligated means that Caltrans has approved the plans and specifications for advertising.) If this is not done, the City will lose the allocation. The City could elect to "sell" the allocation at a discount (approximately 20%). The reduced amount would be available for any street project.

The City has approximately \$192,000 available in this account. This account, along with an additional \$30,000 in City matching funds plus another \$30,000 for design, would fund three signal installations.

The City Council was informed that staff needs direction to either proceed on signal installations determined by the Council or to "sell" the Federal funds:

A. Proceed on signal installations.

- 1) Select intersections to be signalized.
- 2) Appropriate design funds from the Gas Tax Fund (\$10,000 per intersection).
- 3) Authorize the City Manager to execute a consultant design agreement.

and/or

B. Direct staff to make necessary arrangements to "sell" excess FAU funds.

The Council may select less than three locations under "A" and "sell" the remaining funds. After Council makes a decision, at a later meeting, staff will make a recommendation on the necessary appropriations for the

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Capital Improvement Program. In addition, any specific FAU "sale" arrangements would be brought back to the Council action.

A very lengthy discussion followed with questions being directed to Staff.

On motion of Council Member Olson, Pinkerton second, the City Council by the following vote, directed staff to attempt to sell FAU funds at not less than 70% of their value within a two-week period. If staff is unable to sell the funds under these conditions, then the City Council directed the City staff to go forward with the traffic signalization at Kettleman and Mills, Hutchins and Vine, and with the modernization of the already appropriated Church Street signals.

Ayes: Council Members - Olson, Pinkerton, and Reid

Noes: Council Members - Hinchman and Snider

Absent: Council Members - None

SPECIAL ALLOCATION APPROVED
FOR REMODELING OF 217 WEST
ELM STREET AND THE PUBLIC
SAFETY BUILDING, 230 WEST
ELM STREET

CC-27(a)

The City Council was advised that with the acquisition of the house located at 217 W. Elm Street the opportunity was presented to relieve some of the crowded working conditions in the Police Department and in the Fire Prevention Bureau. The most logical movement of personnel was to place the Fire Prevention Bureau and the Fire Training Officer in the house at 217 W. Elm Street and move the Detective Division into what is now the Fire Prevention Bureau. Such movement of personnel will provide both Departments with more work space and provide relief from their crowded working conditions and lack of proper work space. Examples of these conditions are five detectives working out of an office that measures 11.5 feet by 17 feet, and a Fire Prevention Bureau with no room to meet privately with those in the construction trades, businessmen and the general public nor a place to spread out construction plans for plan checking.

Dennis Callahan and Steve Raddigan have provided cost estimates of all work required for the remodeling of the current Fire Prevention Bureau area and the house at 217 West Elm. These estimates include the following:

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Remodeling of 217 W. Elm	\$10,945.00
Remodeling of Public Safety Building	1,860.00
Installation of conduit from Public Safety Building to 217 W. Elm	2,857.00
Purchase of furnishings, computer equipment, etc. for 217 W. Elm	9,076.00
Installation of telephone lines and telephones at 217 W. Elm	1,250.00
Ten percent contingency	2,598.00
 TOTAL PROJECTED COST	 28,586.00

Upon receipt of approval of these funds, the Public Works Department will prepare plans and specifications for this project and will return to Council for approval and a request to go out for bids on the project.

On motion of Council Member Pinkerton, Olson second, the City Council approved a Special Allocation in the amount of \$28,586.00 for the remodeling of 217 West Elm Street and the Public Safety building at 230 West Elm Street which funds are to be allocated from the Contingency fund.

RESOLUTION ADOPTED RELATING
TO STATE BUDGET ACTIONS AND
URGING REPEAL OF SB 2557

RESOLUTION NO. 90-177

CC-28
CC-300

Senate Bill 2557 is a highly controversial law which allows (among other things) counties to charge city police departments a fee for every prisoner booked into the county jail. Heretofore, this cost has always been absorbed by county budgets funded by both county and city taxes. Charging cities for booking prisoners will generate over \$6 million dollars for counties--coming directly from city budgets. Cities in California are protesting this law based upon the fact the city residents already pay county taxes and this law would result in a form of double taxation. Legal challenges are being mounted.

The League of California Cities Public Safety Committee has recommended that all cities adopt a resolution advocating repeal of SB 2557. This resolution will be sent to our State Legislators and the League of California Cities legislative office.

From a local perspective it is esimated the Lodi Police Department will book approximately 80 prisoners into the County Jail this year at an approximate cost of \$4,800.00 This amount could increase significantly if the County changes either the proposed cost per booking or the interpretation of what constitutes a booking.

Continued November 28, 1990

The City of Lodi will feel the effect less than other cities due to the fact we have our own jail and book few prisoners into the County.

Following discussion, on motion of Council Member Reid, Hinchman second, the City Council adopted Resolution No. 90-177 - A Resolution of the Lodi City Council Relating to the State Budget Actions and Urging Repeal of SB 2557.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LODI
AND THE UNITED FIREFIGHTERS
OF LODI

RESOLUTION NO. 90-178

CC-34
CC-300

Assistant City Manager Glenn advised the City Council that negotiations have been concluded with the UFL and that agreement has been committed to writing.

The major components of that agreement are:

1. TERM
 - a. Three years.
2. SALARY ADJUSTMENTS
 - a. 4.25% across-the-board retroactive to October 1, 1990.
 - b. An across-the-board salary adjustment equal to the change in the Consumer Price Index Urban Wage Earner and Clerical Workers - San Francisco - August 1990 to August 1991, effective the pay period in which October 1, 1991 falls.
 - c. A salary survey of Fire Captains based on October 1, 1992 salaries. Such increase to be effective the pay period in which October 1, 1992 falls.
3. MODIFICATION OF THE RETIREMENT SYSTEM TO PROVIDE THE FOLLOWING:
 - a. Third-level of 1959 survivor benefits.
 - b. Single highest year option.
4. The employee will pay a portion of medical insurance premiums for dependents and a greater portion of costs of dental coverage.

Continued November 28, 1990

5. Purchase of safety clothing (fire resistant material to coincide with OSHA requirements) and an increase in uniform maintenance allowance.
6. Provide for surviving spouse to have an interest in the sick leave conversion bank.
7. Modified grievance procedure.
8. Other changes which eliminate unnecessary clauses, clarify or modify other clauses to conform to present practice.

Some of these items will require Council action such as salary increases and modifications of PERS contract while others may be done administratively. As appropriate we will bring to Council those items requiring action.

Following discussion, on motion of Council Member Reid, Olson second, the City Council received the subject Memorandum of Understanding. Further on motion of Council Member Pinkerton, Hinchman second, the City Council adopted Resolution No. 90-178 modifying the salary schedule for the represented Fire Department employees, including Fire Department Mid-Management employees retroactive to October 1, 1990.

ORDINANCES

ORDINANCE REPEALING LODI
MUNICIPAL CODE CHAPTER 13.12 -
SEWER SERVICE - AND
REENACTING A NEW ORDINANCE
RELATING TO SEWER SERVICE

ORDINANCE NO. 1501 ADOPTED

CC-44 Ordinance No. 1501 entitled, "An Ordinance of the Lodi City
CC-51(a) Council Repealing Lodi Municipal Code Chapter 13.12 - Sewer
CC-149 Service - and Reenacting a New Ordinance Relating to Sewer
Service" having been introduced at a regular meeting of the
Lodi City Council held November 7, 1990 was brought up for
passage on motion of Council Member Reid, Olson second.
Second reading of the ordinance was omitted after reading
by title, and the ordinance was then adopted and ordered to
print by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton,
Reid and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

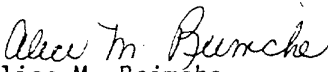
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Abstain: Council Members - None

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 10:17 p.m.

ATTEST:


Alice M. Reimche
City Clerk